

AMENDED IN ASSEMBLY AUGUST 31, 2005

AMENDED IN SENATE MAY 11, 2005

AMENDED IN SENATE APRIL 20, 2005

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 453

**Introduced by Senators Poochigian, Ashburn, Denham, Florez,
and Machado**

(Coauthors: Assembly Members Aghazarian, Arambula, Cogdill,
Houston, Matthews, Maze, McCarthy, Nakanishi, Parra, and
Villines)

February 17, 2005

An act to amend *Section 30063 of the Government Code*, and to amend Sections 14171, 14173, and 14175 of, to amend and renumber Section 14174.3 of, and to repeal Sections 14172 and 14174 of, the Penal Code, relating to ~~the Central Valley Rural Crime Prevention Program~~ local law enforcement, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 453, as amended, Poochigian. ~~Central Valley Rural Crime Prevention Program~~. Local law enforcement.

(1) Existing law establishes the Supplemental Law Enforcement Services Fund, specifies the purposes for which money in the fund may be expended, and requires by March 1 of each year, that the Legislative Analyst's office report to the Legislature on the type of expenditures made by local law enforcement agencies in the previous fiscal year, and the effects of those expenditures on law enforcement and public safety, as specified.

This bill would eliminate the reporting requirement.

(2) Existing law establishes the Central Valley Rural Crime Prevention Program, a program addressing agricultural and rural based crime in specified counties. Existing law provides those provisions will become inoperative as of July 1, 2005, and be repealed as of January 1, 2006.

This bill would extend the operative date of those provisions to July 1, 2009, and the repeal date to January 1, 2010.

Existing law requires a cost-benefit analysis be prepared by each county participating in the program, as specified, and submitted to the Legislative Analyst by June 30, 2001. Existing law also requires the Legislative Analyst to conduct a cost-benefit analysis of the program, to analyze information submitted by each county, and to report to the Legislature by December 31, 2001.

This bill would repeal those provisions.

Existing law provides an appropriation of \$3,541,000 in the Budget Act of 1999 to the specified counties to fund the program.

This bill would express the intent of the Legislature regarding apportionment of any funds appropriated for the program to the specified counties.

Existing law provides an appropriation of \$100,000 in the Budget Act of 1999 for the Legislative Analyst for costs of preparing an evaluation of the Central Valley Rural Crime Prevention Program for purposes of the cost-benefit analysis of the report due to the Legislature by December 31, 2001, as specified.

This bill would repeal those provisions.

Existing law conditions appropriation of funds to the specified counties upon compliance with certain uniform procedures for participating in the program.

This bill would renumber the code section containing these provisions.

This bill would make other technical changes.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 30063 of the Government Code is
2 amended to read:

3 30063. (a) The Supplemental Law Enforcement Services
4 Fund (SLESF) in each county or city is to be expended
5 exclusively as required by this chapter. Moneys in that fund shall
6 not be transferred to, or intermingled with, the moneys in any
7 other fund in the county or city treasury, except that moneys may
8 be transferred from the SLESF to the county's or city's general
9 fund to the extent necessary to facilitate the appropriation and
10 expenditure of those transferred moneys in the manner required
11 by this chapter.

12 (b) Moneys in an SLESF may only be invested in safe and
13 conservative investments in accordance with those standards of
14 prudent investment applicable to the investment of trust moneys.
15 The treasurer of the county and each city shall provide a monthly
16 SLESF investment report to either the police chief or the county
17 sheriff and district attorney, as applicable.

18 (c) Each year, at least 30 days prior to the date of the duly
19 noticed public hearing required pursuant to paragraph (1) of
20 subdivision (c) of Section 30061, the county auditor and city
21 treasurer shall detail and summarize allocations from the
22 county's or city's SLESF, as applicable, in a written, public
23 report filed with the Supplemental Law Enforcement Oversight
24 Committee (SLEOC), the county board of supervisors, or the city
25 council, as applicable, for the entirety of the immediately
26 preceding fiscal year, and the county sheriff or police chief, as
27 applicable.

28 (d) A summary of the annual reports required in subdivision
29 (c) shall be submitted in a standardized format to be developed
30 by the Controller, in conjunction with the California District
31 Attorney's Association, California Police Chief's Association,
32 California State Sheriff's Association, California Peace Officer's
33 Association, California County Auditor's Association, and
34 California Municipal Treasurer's Association, by each SLEOC to
35 the Controller on or before October 15, 2001, and each year
36 thereafter. The Controller shall make a copy of the summarized
37 reports available to the Governor, the Legislature, and the
38 Legislative Analyst's office.

1 ~~(e) By March 1 of each year, the Legislative Analyst's office~~
2 ~~shall report to the Legislature on the types of expenditures made~~
3 ~~by local law enforcement agencies in the previous fiscal year~~
4 ~~pursuant to this chapter, and, to the extent feasible, on the effects~~
5 ~~of those expenditures on law enforcement and public safety.~~

6 ~~(f)~~ A county, a city, or a city and county that fails to submit
7 the data required pursuant to subdivision (d) of this section or to
8 report as required pursuant to clause (i) of subparagraph (E) of
9 paragraph (4) of subdivision (b) of Section 30061 shall not
10 continue to expend funds allocated pursuant to subdivision (b) of
11 Section 30061 or interest earned pursuant to subdivision (b) of
12 this section until that data and that report are submitted as
13 required by this chapter.

14 ~~(g)~~
15 ~~(f)~~ Notwithstanding subdivision ~~(f)~~ (e), if the SLEOC fails to
16 transmit the data to the Controller required pursuant to
17 subdivision (d), the local law enforcement agency may submit its
18 expenditure data directly to the Controller no later than 15 days
19 after the date specified in subdivision (d). If the local law
20 enforcement agency has complied with other requirements in this
21 chapter, it may continue to expend funds allocated and interest
22 earned pursuant to this chapter.

23 **SECTION 1.**

24 **SEC. 2.** Section 14171 of the Penal Code is amended to read:

25 14171. (a) Each of the Counties of Fresno, Kern, Kings,
26 Madera, Merced, San Joaquin, Stanislaus, and Tulare may
27 develop within its respective jurisdiction a Central Valley Rural
28 Crime Prevention Program, which shall be administered by the
29 county district attorney's office of each respective county under
30 a joint powers agreement with the corresponding county sheriff's
31 office entered into pursuant to Chapter 5 (commencing with
32 Section 6500) of Division 7 of Title 1 of the Government Code.

33 (b) The parties to each agreement shall form a regional task
34 force that shall be known as the Central Valley Rural Crime Task
35 Force, that includes the respective county office of the county
36 agricultural commissioner, the county district attorney, the
37 county sheriff, and interested property owner groups or
38 associations. The task force shall be an interactive team working
39 together to develop crime prevention, problem solving, and crime
40 control techniques, to encourage timely reporting of crimes, and

1 to evaluate the results of these activities. The task force shall
2 operate from a joint facility in order to facilitate investigative
3 coordination. The task force shall also consult with experts from
4 the United States military, the California Military Department,
5 the Department of Justice, other law enforcement entities, and
6 various other state and private organizations as deemed necessary
7 to maximize the effectiveness of this program. Media and
8 community support shall be solicited to promote this program.
9 Each of the designated counties shall adopt rules and regulations
10 for the implementation and administration of this program.

11 (1) In order to receive funds for this program, each designated
12 county shall agree to participate in a regional task force, to be
13 known as the Central Valley Rural Crime Task Force, and shall
14 appoint a representative to that task force.

15 (2) The Central Valley Rural Crime Task Force shall develop
16 rural crime prevention programs containing a system for
17 reporting rural crimes that enables the swift recovery of stolen
18 goods and the apprehension of criminal suspects for prosecution.
19 The task force shall develop computer software and use
20 communication technology to implement the reporting system,
21 although the task force is not limited to the use of these means to
22 achieve the stated goals.

23 (3) The Central Valley Rural Crime Task Force shall develop
24 a uniform procedure for all participating counties to collect, and
25 each participating county shall collect, data on agricultural
26 crimes. The task force shall also establish a central database for
27 the collection and maintenance of data on agricultural crimes and
28 designate one participating county to maintain the database. State
29 funds the counties receive to operate their rural crime prevention
30 programs may be used to implement the requirements of this
31 paragraph. This paragraph does not prohibit counties from using
32 their own funds to implement the paragraph's provisions,
33 however, it is the Legislature's intent that this paragraph shall not
34 be construed as creating a state-mandated local program.

35 (c) The staff for each program shall consist of the personnel
36 designated by the district attorney and sheriff for each county in
37 accordance with the joint powers agreement.

38 ~~SEC. 2.~~

39 *SEC. 3.* Section 14172 of the Penal Code is repealed.

~~SEC. 3.~~

SEC. 4. Section 14173 of the Penal Code is amended to read:
14173. It is the intent of the Legislature that any funds appropriated to the Central Valley Rural Crime Prevention Program be distributed according to the following schedule:

| | |
|-------------------|-------|
| Fresno | 23% |
| Kern | 17% |
| Kings | 8.5% |
| Madera | 5.5% |
| Merced | 8.5% |
| San Joaquin | 8.5% |
| Stanislaus | 8.5% |
| Tulare | 20.5% |

~~SEC. 4.~~

SEC. 5. Section 14174 of the Penal Code is repealed.

~~SEC. 5.~~

SEC. 6. Section 14174.3 of the Penal Code is amended and renumbered to read:

14174. Funds appropriated for the purposes of this title shall be allocated based on the counties' compliance with paragraph (3) of subdivision (b) of Section 14171.

~~SEC. 6.~~

SEC. 7. Section 14175 of the Penal Code is amended to read:

14175. This title shall become inoperative on July 1, 2009, and is repealed as of January 1, 2010, unless a later enacted statute, which is enacted before January 1, 2010, deletes or extends that date.

~~SEC. 7.~~

SEC. 8. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety

1 within the meaning of Article IV of the Constitution and shall go
2 into immediate effect. The facts constituting the necessity are:
3 In order to assure the continued operation of the program and
4 promote agricultural and rural crime prevention, it is necessary
5 that is act take effect immediately.

O